

BEFORE THE DEPARTMENT OF JUSTICE
OF THE STATE OF MONTANA

In the matter of the proposed)	NOTICE OF PUBLIC HEARING
amendment of ARM 23.16.1901)	ON PROPOSED AMENDMENT
concerning video gambling machine)	
specifications)	

TO: All Concerned Persons

1. On December 13, 2006, at 10:00 a.m., the Montana Department of Justice will hold a public hearing in the conference room at the Gambling Control Division, 2550 Prospect Avenue, Helena, Montana, to consider the proposed amendment of the above-stated rule.

2. The Department of Justice will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the department no later than 5:00 p.m. on December 7, 2006, to advise us of the nature of the accommodation that you need. Please contact Rick Ask, Gambling Control Division, 2550 Prospect Avenue, P.O. Box 201424, Helena, MT 59620-1424; (406) 444-1971; Fax (406) 444-9157; Montana Relay Service 711; or e-mail rask@mt.gov.

3. The rule proposed to be amended provides as follows, stricken matter interlined, new matter underlined:

23.16.1901 GENERAL SPECIFICATIONS OF VIDEO GAMBLING
MACHINES (1) through (1)(d)(vii)(C) remain the same.
(D) the video gambling machine identification number (VGMID) assigned to
the machine;
(D) through (I) remain the same but are renumbered (E) through (J).
(viii) through (3) remain the same.

AUTH: 23-5-621, MCA
IMP: 23-5-115, 23-5-136, 23-5-602, 23-5-606, 23-5-609, 23-5-610,
23-5-621, 23-5-637, MCA

RATIONALE AND JUSTIFICATION: In order to implement requirements for an automated accounting and reporting system, the department created an electronic video gambling machine permitting process. This permitting process requires that the department issue a permanent identification decal which is affixed to the video gambling machine instead of a new decal each time the machine is moved to a new location or its permit renewed. This rule amendment requires the permanent decal identification number be included on the video gambling machine's audit and accounting tickets to ensure that required records are maintained and each machine properly tracked.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to Rick Ask, Gambling Control Division, 2550 Prospect Avenue, P.O. Box 201424, Helena, MT 59620-1424; Fax (406) 444-9157; or e-mail rask@mt.gov, and must be received no later than December 20, 2006.

5. Cregg Coughlin, Assistant Attorney General, Gambling Control Division, has been designated to preside over and conduct the hearing.

6. The Department of Justice maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request which includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices of rules regarding the Crime Control Division, the Central Services Division, the Forensic Sciences Division, the Gambling Control Division, the Highway Patrol Division, the Law Enforcement Academy, the Division of Criminal Investigation, the Legal Services Division, the Consumer Protection Division, the Motor Vehicle Division, the Justice Information Systems Division, or any combination thereof. Such written request may be mailed or delivered to Rick Ask, 2550 Prospect Avenue, P.O. Box 201424, Helena, MT 59620-1424; Fax (406) 444-9157; or e-mail rask@mt.gov, or may be made by completing a request form at any rules hearing held by the Department of Justice.

7. The bill sponsor notice requirements of 2-4-302, MCA, apply and have been fulfilled.

By: /s/ Mike McGrath
MIKE McGRATH
Attorney General, Department of Justice

/s/ Jon Ellingson
JON ELLINGSON
Rule Reviewer

Certified to the Secretary of State November 13, 2006.